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October 8, 2008

Mayor Don Leard
City Councilors
City of Lafayette
P.O. Box 55
Lafayette OR 97127-0055

Re: Initiated Measure Regarding Proposed Revised Charter

Dear Mayor Leard and Councilors:

As required by Oregon Revised Statutes (ORS) 250.325, I am submitting to you an "initiated measure" regarding a proposed revised charter.

BACKGROUND: The prospective petition in this matter was submitted to the City of Lafayette on August 4, 2008. As the proposed revisions created conflicts of interest on the parts of Lafayette's City Administrator, Assistant to the City Administrator/Elections Official, and City Attorney, you requested me to serve as acting Elections Official and acting City Attorney.

Subsequently, I drafted a ballot title and submitted the required notice to the News-Register. It was published on August 23, 2008. The period for appealing the ballot title expired on August 28, 2008. On August 29, 2008, chief petitioner Darrell Flood submitted, and I approved, the petition cover sheet and signature page.

Mr. Flood returned completed signature sheets to me on October 1, 2008. The Yamhill County Clerk verified that 217 signatures were valid (the required number of signatures is set by ORS 250.305(2) at fifteen percent of the registered voters in Lafayette).

SUBMISSION OF THE INITIATED MEASURE: ORS 250.325 (1) requires that, "(i)f an initiative petition contains the required number of verified signatures, the city elections officer shall file the initiated measure with the city governing body at its next meeting." Please consider this letter and the attachments (consisting of two documents: Form SEL 802 on which I have certified the ballot title and a copy of the proposed revised charter) to constitute that filing.

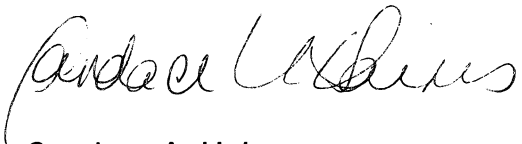
NEXT STEPS FOR THE GOVERNING BODY: ORS 250.325 (2) provides that the Council has 30 days from the date of this submittal to adopt or reject the measure. Should the Council not adopt the measure, it must be submitted to the voters of the City at the next available election (in this case, March 10, 2009).

ORS 250.325 (3) provides that "(t)he governing body may refer a competing measure to city electors at the same election at which the initiated measure is submitted." This measure would have to be prepared by the thirtieth day after the initiated measure is filed with the governing body.

ORS 250.325 (3) also provides that "(t)he mayor shall not have the power to veto an initiated measure or a competing measure."

Please let me know if you have questions on any of the matters addressed in this letter and if I may be of further service to you.

Very truly yours,



Candace A. Haines
Acting Lafayette City Attorney
Acting Lafayette City Elections Official

Cc: Darrell Flood
Diane Rinks
Trena McManus
Andrew Jordan